

The Salisbury Planning Board held its regular meeting on Tuesday, June 24 2003, in the City Council Chambers of the Salisbury City Hall at 4:00 p.m. with the following being present and absent:

PRESENT: Len Clark, Rodney Queen, Sean Reid, Fred Dula, Sandy Reitz, Lou Manning, Jeff Smith, Eldridge Williams

ABSENT: Ken Mowery, Mitzi Clement, Brian Miller, Jerry Wilkes

STAFF: Harold Poole, Patrick Kennerly, Dan Mikkelsen, Joe Morris, Hubert Furr, Tammy File

The meeting was called to order by Chairman Dula. The minutes of June 10, 2003, were approved as published.

ZONING TEXT AMENDMENTS

- (a) Mary Beth Smith, attorney – wall sign in 100 block of North Main (former Merchants Association Building)

Elizabeth Smith, 925 Park Road, Woodleaf, (speaking for her daughter) – Elizabeth Smith explained that her daughter purchased the building for her law office. She would like to place wall signs on both sides of the entrance into the building. With 27 feet along the street, she is currently allowed only one wall sign, which she has placed on the right-hand side, which reads “Mary Beth Smith Law Offices, 117 S. Main St.” The sign she would like to place on the left-hand side, would be scales of justice, which is more of a logo than an actual sign. The Zoning Administrator has determined that we have to count it as a wall sign, rather than an informational, incidental, or other type sign.

Rodney Queen said that this only makes sense to me and made the motion to approve this as proposed, Lou Manning seconded the motion with all members voting AYE.

- (b) Julie Brown, St. John’s Lutheran- ground sign in 100 block of North Jackson St.

Julie Brown explained that the church would like to add an additional ground sign as well as a small wall sign. The ground sign would face Jackson Street and mark the entrance to our parking area. The wall sign would be adjacent to the door facing Council Street the backside of the church. They currently have two monument signs and a ground sign on the backside of the church grandfathered in and we are asking that you allow these two other signs.

Jeff Smith wanted to know just wanted to know how different this is from what we already have?

Rodney Queen made the motion to approve as proposed, Lou Manning seconded the motion with all members voting AYE.

GROUP DEVELOPMENT

G-5-85 Salisbury Mall – A-9 Original Steakhouse & Sports Theatre

Mr. John Duranko, for Master Plan, Inc. of West Palm Beach Florida, submitted the application for the renovation of the exterior building and addition of a sidewalk area at the Salisbury Mall. All zoning criteria have been met. The Technical Review Committee recommends approval of the application, as submitted.

Mark Ryburg, construction manager, said it is as exactly as presented.

Sean Reid-There appears to be a lack of landscaping shown.

Sandy Reitz- Agrees with Sean and had a similar concern.

Jeff Smith- outdoor dining ? (Hubert said all dining would have to be within the restaurant.) Jeff also said it was good to see this use, and he was especially please to see windows and doors on the drawings.

Eldridge Williams- Questions removal of existing landscaping. It's necessary to make the front expansion, but there will be some landscaping in front of the restaurant.

Jeff Smith – He thinks at this point, green awnings and life in that building breath about as good as trees, he moved that the group development be approved as submitted, Lou Manning seconded the motion with all members voting AYE.

Rodney Queen- Kind of depressing to see all the vacant spots at the mall and we should welcome this with open arms.

OPEN SPACE PROVISIONS

Gail Elder White, Parks & Recreation Director, made a presentation to the full Planning Board on general park and recreation needs, and about common open space. Keith Trawick and Kenny Roberts also with Parks & Recreation Department were with her.

Included in Planning Board packets were definitions of terms like “common open space,” “open space,” “active open space,” and “passive open space” from about 20 cities around the country. Also included were the policies taken from the Salisbury 2020 Plan in the chapter entitled “Parks, Open Space, and Greenways” (nine policies), and the 8-page Executive Summary of the City’s Open Space Plan (prepared by Woolpert) as adopted by City Council in 2000.

Gail mentioned that the 1st recreation master plan for Salisbury was done in 1947. She identified “open space” needs as neighborhood parks, mini parks, and public or private open spaces.

The matter of Open Space provision was assigned to the new Legislative Committee B, for further study. The committee consists of Jeff Smith (chair), Ken Mowery (vice chair), Len Clark, Rodney Queen, and Sandy Reitz.

COMMITTEE REPORTS

The Gateway Committee made the first part of the presentation of the East Innes Street Gateway Plan. The Gateway Plan is suppose to replace the VCOD in the Zoning Ordinance as Article XV. The Committee made a presentation on the first seven chapters of the report, which included:

- (1) Purpose & Intent
- (2) Applicability
- (3) Prohibited Uses
- (4) Streetscape
- (5) Dimensional Standards
- (6) Parking Areas
- (7) Outdoor Lighting

The second part of the presentation will be made to the Planning Board at its next meeting (July 8).

The M-2 Zoning Committee continues to meet on that area zoned M-2 off West Innes Street, back to and beyond the railroad tracks. The only two tracts that appear to be currently in industrial zoning are Freirich Foods (which does food processing, including meat processing- an M-2 uses and the old Fuch's buildings, which is now owned by Catawba Metallurgical LLC, which is a kind of foundry manufacturing metal products. The M-2 Zoning Committee split the area in two parts, with the northern part receiving a recommendation for the rear portion of four properties (lots 8, 9, 10, and 11) to be rezoned from M-2 to B-6. Those are properties/businesses facing West Innes Street. This would make all their properties B-6. The final part of a part of Rowan Memorial Park Cemetery (which adjoins Freirich Foods), which is also zoned M-2. The proposal is that it be downzoned to B-1, as is the zoning for the remainder of the cemetery.

Planning Board decided to set up a Courtesy Hearing on the rezoning for these properties, that hearing will be at the July 8 meeting.

The Legislative Committee is also continuing the study of the Wal-Mart request. Ken Jefferies, Store Manager for Wal-Mart has been present at the two meetings.

Instead of allowing a reduction in parking spaces from 5.0 to 4.5, the Committee is favoring a Special Use Permit, which would allow up to 10 percent of the parking lot as outdoor display area. The Committee is also considering restricting that to B-6 and B-7 zoning districts, and allowing it only for stores with more than 80,000 sq. ft. There would be a need to identify on the site plan where these spaces would be. Some items would be prohibited- such as tents, trailers, fertilizers, though Council could prohibit more items in its Special Use Permit. A Special Use Permit could be revoked or revised. For example, a store may need more of its parking back- particularly if we see customers using parking in the fire lane, handicapped

parking spaces, landscaped or tree islands, and in other driveway areas. So a Special Use Permit could be modified on a case-by-case basis.

The Legislative Committee is also dealing with Minor Subdivision & Zoning Matters. The subdivision matters deal with lot depth, lot area, and lot width. Lot depth for new developments is shown in the Subdivision Ordinance to be 125 feet. There are no comparable figures or lot depth in the Zoning Ordinance. The Committee is considering recommending a reduction to 100 or 110 feet.

For lot area, the minimum allowed for new subdivisions (excluding those in RD-A and RD-B0, with water and sewer, is 7,500 square feet. There are various “minimums” in the Zoning Ordinance, based on the individual zoning district. These have to do with establishing the size of a conforming lot – such as 8,000 sq. ft. in R-8, 6,000 sq. ft. in R-6 (for single family), 6,000 sq. ft. in R-6A (again, for single family), and 7,000 sq. ft. in SFC. What the committee is discussing is allowing future subdivisions to only have to meet the minimum square footage requirements for single family development in the respective zoning districts.

Similarly, for lot width, the minimum allowed for new subdivisions (again, excluding RD-A and RD-B), with water and sewer, is 60 feet. The “minimums” in the Zoning Ordinance range as low as 50 feet (for SFC). The proposal would allow the minimum lot width be the same as for the zoning districts with single family development.

The SFC district has a minimum front yard setback of 30 feet, which is the same as for the R-6 and R-6A zoning districts. Single family residential districts have a minimum 40 foot front yard setbacks.) The RD-A and RD-B have whatever setback is acceptable within the particular development. The proposal has been to reduce to 30 feet to 25 or even 20 feet. The Committee has discussed this, as well as the impact on adjoining lots if single family houses there are already 40 feet back. Because of this, the Committee has discussed establishing an “average”, so that the setback may not exceed 10 feet the average of the houses on lots on both sides. Also, the Committee discussed establishing a minimum acreage or number of feet along a street that could have SFC zoning, if the front yard setback is to be reduced.

There being no further business to come before the Board, the meeting was adjourned.

Chairman

Secretary

